



Secretary of State
Claims Advisory Board
214 State Capitol
Atlanta, Georgia 30334

Brian P. Kemp
SECRETARY OF STATE

Dear Claimant:

As you requested, I am forwarding an Official Notice of Claim Against the State of Georgia, along with a copy of the Claims Advisory Board's Rules and Regulations. Please pay close attention to CAB Rule 115-3-.08.

This form has been developed to conform with the amendment to the Claims Advisory Board Act for processing claims in the amount of \$5,000.00 or less. After completing the Notice, please return it to this office at the address listed above. .

If you have any questions regarding this procedure, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Tommy Culligan".

Tommy Culligan
Claims Advisory Board
(404) 657-4596

**NOTICE OF CLAIM AGAINST THE STATE OF GEORGIA
IN AN AMOUNT OF \$5,000.00 OR LESS**

**CLAIMS ADVISORY BOARD
214 State Capitol
Atlanta, GA 30334**

I, the undersigned, pursuant to O.C.G.A. § 28-5-85, hereby notify the Claims Advisory Board that I am seeking the compensation from the State of Georgia in satisfaction of the hereinafter described claim.

Name of Claimant/Corporation: _____

Complete Mailing Address of Claimant/Corporation: _____

Telephone Number: _____

Fax Number: _____

Amount of Claim: _____

Date of Incident: _____

State Department/Agency from which you are seeking compensation: _____

Complete description of incident: CLAIMANT MUST COMPLETE THIS SECTION IN HIS/HER OWN WORDS. Attach extra sheets if additional space is needed.)

I, the undersigned, hereby attest to the truth of the information contained herein, and understand that knowingly falsifying and/or failing to disclose material information relative to this claim could result in its denial or criminal prosecution for false swearing and/or both.

Signature: _____
(Claimant)

Sworn to and subscribed before me this

(NOTARY SEAL)

_____ day of _____, 20____.

(Notary Public) **My Commission Expires:** _____

**RULES & REGULATIONS
PERTAINING TO THE FILING OF NOTICES OF CLAIMS
AGAINST THE STATE OF GEORGIA**

CLAIMS IN AN AMOUNT OF \$5,000.00 OR LESS

115-3-.02 Notice of Claim. . .

(1) If a citizen has a claim against the state subject to the provisions of this Chapter, such person may file such claim with the Board by filing a Notice of Claim on forms provided by the Board. No claim shall be considered by the Board unless such Notice of Claim has been filed. Each Notice of Claim shall include a sworn description of the incident signed by the claimant.

(2) No claim under this part shall be considered by the Board unless Notice of Claim has been filed with the Board within two years after the date of the event giving rise to the claim.

115-3-.03 Acknowledgment of Receipt of Notice of Claim. The Board shall acknowledge receipt of the Notice of Claim to the claimant and shall send the claimant a list of required supporting documents.

115-3-.04 Supporting Documents Required. The Board shall not take action on a claim made under this Chapter until all supporting documents requested by the Board have been received and filed with the Board. The following supporting documents, where applicable, shall be filed by the claimant or on his/her behalf:

(a) Copy of accident/incident report signed by investigating officers—State Patrol, County Police, City Police, Campus Police, Security Officer, etc., if applicable;

(b) claimant's affidavit concerning receipt of compensation from insurers or third parties on form provided by Board;

(c) if any insurance has been paid or is payable, a waiver of claim form executed by the insurer;

(d) receipted itemized repair bill, or two estimates of repair;

(e) physician's statement as to nature, cause and extent of injury or illness;

(f) sworn itemized list of all medical bills (physicians, hospital, drugs, etc.) with bills or copies of bills attached;

(g) sworn affidavit as to the value of property on which total loss is alleged;

(h) if property is a total loss and has been sold for salvage or will be sold for salvage, a sworn affidavit from dealer indicating the salvage value of the property or evidence showing the exact amount received for salvage;

(i) claimant's "Settlement Agreement, Covenant Not to Sue and Release", on form provided by Board;

(j) such other supporting evidence claimant may wish to provide, in affidavit form;

(k) such other supporting data or documentation as the Board may request in writing for proper evaluation of a particular claim.

115-3-.07 Decision of Board.

(1) After reviewing and considering all information submitted by a claimant in support of the claim against the state and the report of the state department or agency affected by such claim, the Board shall make a determination either to pay or reject such claim against the state.

(2) If the claimant is a state employee and the claim arises out of the performance of the claimant's duties, the Board, in its discretion, will authorize payment only for items that are shown by the claimant to be either required or deemed by the Board to be reasonably necessary for the performance of claimant's duties and not used merely for convenience or esthetic value.

(3) The Board, in its discretion, will not authorize payment of any part of any claim which arises as a result of:

(a) the commission of an illegal act by the claimant; or

(b) the violation by the claimant of an internal disciplinary rule or regulation promulgated by the department or agency against which the claim is filed, including, but not limited to:

1. rules pertaining to the prevention of violence or abuse or threats of violence or abuse against another person;
2. rules pertaining to safety, security and orderly operation;
3. rules relating to possession, manufacture or introduction of contraband;
4. rule relating to possession or acquisition of property by fraud or deception.

(4) The Board shall make no recommendation regarding any claim which is the subject of pending litigation.

(5) The Board shall not be bound by the total amount claimed against the state and may authorize the payment of a lesser amount.

(6) If the board determines that the claim against the state is justified and that the amount of such claim, or a portion thereof, should be paid, it shall issue its order to the chief executive or administrative officer of the state department or agency affected by such claim ordering such officer, within 30 days after receipt of such order, to pay the claimant the amount specified by the Claims Advisory Board in its order contingent upon the claimant's execution of the appropriate "Settlement Agreement, Covenant Not to Sue and Release" form. A copy of such order shall be mailed to the claimant.

(7) If the Claims Advisory Board determines that the claim against the state should be rejected, it shall notify the claimant of such rejection, and such notice shall explain the reasons for such rejection. A copy of such notice to the claimant shall be sent to the state department or agency affected by the claim.

(8) The decision of the Claims Advisory Board shall be final.

115-3-.08 Claims Paid or Payable by Insurance. The Board shall not authorize or direct the payment of any part of any claim under this Chapter which is paid or payable by insurance, nor shall the Board authorize or direct payment to any insurer of the aggrieved party.

115-3-.09 Payment of Claim in Full and Complete Settlement. Any payment made to a claimant under this Chapter shall be in full and complete settlement of any claim against the state arising from said occurrence, and each claimant, as a condition precedent to receiving payment, shall execute a "Settlement Agreement, Covenant Not to Sue and Release" form provided by the Board.